

STATE OF WISCONSIN **ETHICS BOARD**

James R. Morgan Chairman Paul M. Holzem David L. McRoberts Dorothy C. Johnson On the capitol square at: 44 EAST MIFFLIN STREET, STE 601 MADISON, WISCONSIN 53703-2800

phone: 608/266-8123 fax: 608/264-9319 ethics@ethics.state.wi.us http://ethics.state.wi.us

> Roth Judd Director

Memorandum

To:

Senator Dale Schultz, Chair

Committee on Agriculture, Financial Institutions and

Insurance

From:

Carol Wibralsk

Program Coordinator, Statements of Economic Interests

Date:

June 5, 2003

Re:

Enclosed confidential Statement of Economic Interests

We are conveying to you, and to you only, the Statement of Economic Interests of William H. Levit, Jr., a nominee for appointment to the Investment Board. You may distribute this information to members of the Senate Committee.

Although the Statutes require the Ethics Board to direct this Statement to the members of the senate committee to which the nomination has been referred, the Statement enjoys a degree of confidentiality.

I am enclosing copies of letters from the Attorney General that explain the Statement's confidentiality. Please append the accompanying notice to each copy of the Statement you prepare.

CC: Members, Senate Committee on Agriculture, Financial Institutions and Insurance

Senate Chief Clerk, attention Donna Doyle

William H. Levit, Jr.

Patricia Lipton



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From:

Carol Wibralski

Program Coordinator, Statements of Economic Interests

Date:

June 5, 2003

Re:

Enclosed confidential Statement of Economic Interests

We are conveying to you, and to you only, the Statement of Economic Interests of Deloris Sims, a nominee for appointment to the Investment Board. You may distribute this information to members of the Senate Committee.

Although the Statutes require the Ethics Board to direct this Statement to the members of the senate committee to which the nomination has been referred, the Statement enjoys a degree of confidentiality.

I am enclosing copies of letters from the Attorney General that explain the Statement's confidentiality. Please append the accompanying notice to each copy of the Statement you prepare.

CC: Members, Senate Committee on Agriculture, Financial Institutions and Insurance

Senate Chief Clerk, attention Donna Doyle Deloris Sims Patricia Lipton



STATE OF WISCONSIN **ETHICS BOARD**

James R. Morgan Chairman Paul M. Holzem David L. McRoberts Dorothy C. Johnson On the capitol square at: 44 EAST MIFFLIN STREET, STE 601 MADISON, WISCONSIN 53703-2800 phone: 608/266-8123 fax: 608/264-9319 ethics@ethics.state.wi.us http://ethics.state.wi.us

> Roth Judd Director

Memorandum

To:

Senator Dale Schultz, Chair

Committee on Agriculture, Financial Institutions and

Insurance

From:

Carol Wibralsk

Program Coordinator, Statements of Economic Interests

Date:

June 5, 2003

Re:

Enclosed confidential Statement of Economic Interests

We are conveying to you, and to you only, the Statement of Economic Interests of William H. Levit, Jr., a nominee for appointment to the Investment Board. You may distribute this information to members of the Senate Committee.

Although the Statutes require the Ethics Board to direct this Statement to the members of the senate committee to which the nomination has been referred, the Statement enjoys a degree of confidentiality.

I am enclosing copies of letters from the Attorney General that explain the Statement's confidentiality. Please append the accompanying notice to each copy of the Statement you prepare.

CC: Members, Senate Committee on Agriculture, Financial Institutions and Insurance Senate Chief Clerk, attention Donna Doyle William H. Levit, Jr. Patricia Lipton



STATE OF WISCONSIN\ETHICS BOARD

NOTICE: Investment Board Statements of Economic Interests enjoy a degree of confidentiality

Although Statements of Economic Interests of members of the Investment Board in the possession of the Ethics Board are not open to public inspection, the Ethics Board must refer Statements of Investment Board nominees to the Senate. The Attorney General has stated that "On the one hand, statements of *nominees* to office are open to public inspection. On the other hand, the statements of *members* of the Investment Board are not open to public inspection. The Legislature has not specifically addressed the apparent paradox. If an Investment Board nominee's statement is open to public inspection, the subsequent confidentiality once the nominee becomes a member is of no avail. The Legislature may have thought that the nominees' financial status was of particular interest to the public, or it may have simply overlooked the conflict. In any event the question deserves legislative review." 68 OAG 378 (1979) and Letter of Attorney General James Doyle reaffirming the 1979 opinion.

Absent a clear direction from the Attorney General, the Ethics Board does not plan to permit public inspection of the accompanying Statement.

The Attorney General advises that "when the statement is in possession of the senate committee, . . . the extent of the confidentiality rests in the sound discretion of the senate committee."

Attachments: 68 Op. Att'y Gen. 379 (1979); Letter from Attorney General James E. Doyle to Senator Michael G. Ellis (undated)

Mail or fax to: Wisconsin Ethics Board, 44 E. Mifflin St., Suite 601, Madison, WI 53703-2800; Fax: (608) 264-9319

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The information sought in this form is required by §§19.43 and 19.44, Wisconsin Statutes. Fallure to file a completed form may result in a forfeiture of up to \$500. Statements of Economic Interests are open for public inspection. The Ethics Board will notify you of the identity of any person who examines your Statement. In accordance with §15.04(1)(m), Wisconsin Statutes, the Ethics Board states that no personally identifiable information is likely to be used for purposes other than those for which it is collected.

P.6/20

Attachment A-1 for W. H. Levit, Jr.

\$50,000 OR LESS:

Stock American Int'l Group Stock Amgen Inc. Anadarko Petroleum Stock Stock Automatic Data Processing Inc. B P Holdings Inc. Stock Stock Cardinal Health Inc. Stock Cisco Systems Inc. Stock Citigroup Inc. Limited Partnership Dyco Program 1980-2 Limited Partnership Dyco Program 1981-1 Arthur J. Gallagher Stock Stock General Electric Co. Hallwood Energy Partners, L.P. Limited Partnership Stock Home Depot Illinois Tool Works Stock Stock Intel Corp. Johnson & Johnson Stock Lakeview Associates LLC Limited Partnership Stock MBNA Corp. Stock Medtronic Inc. Microsoft Corp. Stock Stock Openwave Systems Inc. Pepsico Inc. Stock Pfizer Inc. Stock State Street Corp. Stock Mutual Fund Strong Gov't. Securities Fund

Third Wave Technology Inc.

Stock Vertex Pharmaceuticals Stock Verizon Communications Stock Texas Instruments Stock Stock Walgreen Co. Stock Wal-Mart Stores

\$50,000 OR MORE:

Stock Fisery Inc.

Mutual Fund Growth Fund of America

Stock Kohl's Corp.

M&I Stable Principal Fund Mutual Fund

Stock Serigraph Inc.

Limited Partnership 780 Partners

Mutual Fund Strong Growth Fund

Mutual Fund Strong Small Cap Value Fund

Wells Fargo & Co. Stock

Attachment B-8 for W. H. Levit, Jr.

R. W. Baird

R. J. Bliss

B. P. Holdings Inc.

J. Chait

General Electric Co.

Godfrey & Kahn, S.C.

Lakeview LLC

Anita Sculthorpe

780 Partners

Milwaukee, Wisconsin

Milwaukee, Wisconsin

Green Bay, Wisconsin

Chicago, Illinois

Stamford, Connecticut

Milwaukee, Wisconsin

Milwaukee, Wisconsin

Key Largo, Florida

Milwankee, Wisconsin



STATE OF WISCONSIN DEPARTMENT OF JUSTICE

To: R. Judd

JAMES E. DOYLE
ATTORNEY GENERAL
Burneatta L. Bridge
Deputy Attorney General

114 East, State Capitol P.O. Box 7857 Madison, WI 53707-7857 608/266-1221

The Honorable Michael G. Ellis Chairperson Senate Committee on Organization 210 South, State Capitol Madison, Wisconsin 53702

Dear Senator Ellis: -

The Senate Committee on Organization requests my opinion on whether copies of State Investment Board nominees' statements of economic interests sent to members of the Senate committee to which the nomination is referred are confidential. Section 19.55(2)(c), Stats., provides that statements of economic interests filed with the Ethics Board by members and employes of the Investment Board are confidential. Section 19.43(3), Stats., requires the Ethics Board to submit the economic interests statement of an Investment Board nominee to the members of the Senate committee to which the nomination is referred. The Wisconsin Statutes do not address the status of the economic interests statements while they are in the possession of the Senate committee or its members.

One of my predecessors discussed this issue in an opinion published at 68 Op. Att'y Gen. 379 (1979). That opinion concluded that although section 19.55, Stats., provided that statements of economic interests of members and employes of the Investment Board filed with the Ethics Board were not open for public inspection, "|i|t is clear that no statute imposes a confidentiality requirement on the statement when it is in the possession of the senate committee." 68 Op. Att'y Gen. at 382.

The opinion noted that:

On the one hand, the statements of nominees to office are open to public inspection. On the other hand, the statements of members of the Investment Board are not open to public inspection. The Legislature has not specifically addressed the apparent paradox. . . . In any event the question deserves legislative review.

68 Op. Att'y Gen. at 381-82.

The opinion concluded that a measure of confidentiality attached to the statements of economic interests "but the extent of that confidentiality rests in the sound discretion of the senate committee." 68 Op. Att'y Gen. at 382.

Confidential Reports; Investment Board, Wisconsin; Section 19.43(3), Stats., requires that the Ethics Board forward copies of Investment Board nominees' statement of economic interests to members of the senate committee to which the nomination is referred.

The extent of confidentiality of such statements rests in the sound discretion of the senate committee. OAG 110-79

appointment to a state public office and whose nomination requires the advice and consent of the senate."

1. Must the Ethics Board forward copies of the nominee's Statement of Economic Interests to members of the committee of the senate to which the nomination is referred?

The answer is yes. Specific language in sec. 19.43, Stats., requires transmittal of the entire statement within a reasonable time after it is filed with the Ethics Board. Section 19.43(3), Stats., provides:

A nominee shall file a statement of economic interests with the board as per the date he or she was nominated within 21 days of being nominated unless the nominee has previously filed a statement of economic interests with the board during that year. Following the receipt of a nominee's statement of economic interests, the board shall forward copies of such statement to the members of the committee of the senate to which the nomination is referred.

2. Is the nominee's Statement of Economic Interests in the Ethics Board's possession open to public inspection?

Section 19.55(1) and (2)(c), Stats., provides:

- (1) Except as provided in sub. (2), all records in the possession of the board are open to public inspection at all reasonable times. ...
- (2) Notwithstanding s. 19.21, the following records in the board's possession are not open for public inspection:
- (c) Statements of economic interests and reports of economic transactions which are filed with the ethics board by members or employes of the investment board, except that the ethics board shall refer statements and reports filed by such persons to the legislative audit bureau for its review, and except that a statement of economic interests filed by a member or employe of the investment board who is also an official required to file shall be open to public inspection.

The Legislature clearly has provided that the statements of members are not open to public inspection. Under sec. 17.20(2), Stats., "a

Investment Board nominee's statement is open to public inspection, the subsequent confidentiality once the nominee becomes a member is of no avail. The Legislature may have thought that the nominees' financial status was of particular interest to the public, or it may have simply overlooked the conflict. In any event the question deserves legislative review.

3. If the nominee's Statement of Economic Interests in the Ethics Board's possession is open to public inspection, does it remain open to public inspection following the nominee's qualification and appointment to office?

This question need not be answered because of my answer to the previous question.

4. If the nominee's Statement of Economic Interests in the Ethics Board's possession is not open to public inspection but the Ethics Board must refer copies of the Statement to members of the senate committee to which the nomination is referred, what degree of confidentiality, if any, attaches to copies of Statements referred to senators under sec. 19.43(3), Stats.?

In my opinion a measure of confidentiality attaches to the statement of economic interests of an Investment Board member-nominee when the statement is in the possession of the senate committee, but the extent of that confidentiality rests in the sound discretion of the senate committee.

It is clear that no statute imposes a confidentiality requirement on the statement when it is in the possession of the senate committee. Moreover, any mandated confidentiality would require specific legislation to that effect inasmuch as the important work of senate committees in determining whether to consent to a nomination often requires far-reaching discussion and deliberation by the senators.

Nevertheless, in my opinion there is a sufficiently stated legislative intent that the senate committee should exercise sound discretion before making such statements public. The Legislature already has determined that statements of nominees who are members of the Investment Board are not open to public inspection, albeit while in the possession of the Ethics Board. Senate committees should look to this overall legislative policy determination in the case of Investment Board nominees and weigh it against the need for disclosure in the



June 2, 2003

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint William H. Levit, Jr. to be a member with investment experience on the State of Wisconsin Investment Board to serve a term expiring May 1, 2009.

Mr. Levit, Jr. will be available to the Senate for hearings and my staff will assist in any way they can.

Respectfully submitted,

Jim Doyle

JED:AW



June 2, 2003

Mr. William H. Levit, Jr. 780 North Water Street Milwaukee, WI 53202

Dear Mr. Levit:

I am pleased to appoint you to the State of Wisconsin Investment Board, effective May 30, 2003. Your experience, knowledge, and dedication will be a true asset to my administration and a great benefit to the people of Wisconsin.

It is a new day for Wisconsin! I look forward to working with you to find creative ways of delivering services and implementing positive change for the citizens of our state.

Sincerely

Jim Doyle Governor

JED:AW



GOVERNOR'S APPOINTMENT

NAME:

MAILING ADDRESS:

William H. Levit, Jr.

780 North Water Street

Milwaukee, WI 53202

E-MAIL ADDRESS:

wlevit@gklaw.com

RESIDES IN:

Milwaukee, WI

TELEPHONE:

(414) 273-3500 (w)

(414) 351-6699 (h)

OCCUPATION:

Lawyer

Godfrey & Kahn, S.C.

APPOINTED TO:

State of Wisconsin Investment Board

Member with investment experience

TERM:

A term to expire May 1, 2009

SUCCEEDS:

John Petersen (currently vacant)

SENATE CONFIRMATION:

Yes

DATE OF APPOINTMENT:

May 30, 2003

DATE OF NOMINATION:

May 30, 2003



780 NORTH WATER STREET MILWAUKEE, WI 53202-3590 TEL 414-273-3500 FAX 414-273-5198 www.gklaw.com

W. H. LEVIT, JR.

GODFREY & KAHN, S.C.

MILWAUKEE

APPLETON GREEN BAY

WAUKESHA

LAFOLLETTE GODFREY & KAHN

MADISON

PERSONAL:

Born San Francisco, California

February 8, 1938

Married to Mary Elizabeth Webster Levit

5 children

LL.B - 1967

EDUCATION:

Harvard Law School

Editor-in-Chief

Harvard International Law Journal

National Defense and Education Act Fellow

University of California, Berkeley

M.A. - 1962

International Relations

Ford Foundation Fellow

1960 - 1961 South Asia Studies

University of Pennsylvania

B.A. - 1960

Yale University Magna Cum Laude

Phi Beta Kappa

Asian History

WORK

EXPERIENCE:

GODFREY & KAIN, S.C.

Jan. 1983 Present

Milwaukee, Wisconsin

Member Board of Directors,

Senior Litigation Lawyer, Loss Prevention Partner and Chair, International Practice Group

REXNORD INC. (then Fortune 250 Multinational Company)

Milwaukee, Wisconsin

May 1979-Dec. 1982

Secretary and General Counsel

HUGHES HUBBARD & REED

New York City and Los Angeles

Nov. 1973-April 1979

Associate & Partner (1975-1979)

in Charge Los Angeles, Litigation Department

DAVIS POLK & WARDWELL	Aug. 1967-
New York City	Oct. 1973
Associate, Litigation Department	
(Full time criminal defense lawyer on loan to Legal Aid Society, Manhattan Branch)	1968-1969
UNITED STATES FOREIGN SERVICE	June 1962-
OFFICER	June 1964

Assigned to American Embassy New Delhi (1963-1964)

REPRESENTATIVE LITIGATION AND ARBITRATION EXPERIENCE:

Wisconsin Patients Compensation Fund v. Physicians Insurance Company of Wisconsin, Inc. Successfully represented this state agency in trying to verdict the only statutory bad faith and breach of fiduciary duty case it has ever brought against a primary insurer. The judgment (approximately \$1.2 million) was affirmed by the Wisconsin Court of Appeals on March 20, 2001 (No. 00-0505)

Wisconsin Patients Compensation Fund v. St. Mary's Hospital of Milwaukee. Successfully represented excess medical malpractice insurer in recovering \$4.8 million from health care provider who wrongfully represented it had obtained coverage for professional liability claims. 209 Wis. 2d 17, 561 N.W.2d 797 (Ct. App. 1997).

In the Matter of the Liquidation of American Star Insurance Co. Principal counsel to the Wisconsin Commissioner of Insurance in the on-going liquidation of this San Francisco-based, Wisconsin-domiciled insurance company. (Dane County Cir. Ct., Case No. 92 CV 4579).

Aid Association for Lutherans v. Morgan Stanley & Co., Incorporated, Goldman Sachs & Co. and Merrill Lynch, Pierce Fenner & Smith, Incorporated. Represented underwriters in this securities case arising out of the failure of the Bank of New England Corporation. Obtained summary judgment on 1933 Act claims on statute of limitations grounds which led ultimately to favorable settlement (Cir. Ct. Milwaukee County 1991-1993).

Beverly L. Halquist v. Halquist Stone Co., Inc. et al. Court-appointed Independent Panel to act in lieu of disinterested majority of board of closely-held corporation to investigate and recommend disposition of derivative claims. Thereafter successfully mediated the dispute. (Cir. Ct. Waukesha County 1998-2000).

Allis-Chalmers Mfg. Co. v. Gulf & Western Industries, Inc. Involved in successful trial and appeal of major short-swing profits securities case in which \$2.5 million was recovered for Allis-Chalmers. 372 F. Supp. 570 (N.D. Ill. 1974), aff'd, 527 F.2d 335 (7th Cir. 1975).

Briggs & Stratton Corp. v. Cross Co. and Cross & Trecker Corp.

Represented Briggs in this multi-million dollar breach of contract action and helped negotiate very favorable settlement (E.D. Wis. 1987-88).

George Fischer Foundry Systems, Inc. v. Adolph H. Hottinger

Maschinenbau GmbH, 1994-1 CCH Trade Cases ¶70,566 (E.D. Mich.
1994), aff'd, 55 F.3d 1206 (6th Cir. 1995). Lead counsel for German
licensor in this patent licensing antitrust case in which dismissal obtained
on basis of the United States Supreme Court's decision in Mitsubishi

Motor Corp. v. Soler Chrysler Plymouth, Inc. Successfully represented

client in arbitration of antitrust claims before Zürich Chamber of Commerce.

Good Humor Corporation v. Popsicle Japan KK. Lead counsel for Unilever subsidiary (Good Humor) in international trademark licensing dispute. 810 F. Supp. 1001 (E. D. Wis. 1992). Obtained summary judgment dismissing bulk of licensee's claims leading to favorable settlement.

Manpower Inc. v. Manpower Unternehmens-und Personalberatung
Ges.m.b.H. (1991-1998). Lead American counsel for Claimant in
licensing/franchise dispute with Austrian joint venture partner in
arbitration before International Arbitral Centre of the Federal Economic
Chamber of Vienna. All three Tribunal awards were in favor of Claimant,
including grant of injunctive relief and award of damages of \$1.8 million.
(SCH-4311/MAG).

Maryland Staffing Services, Inc. v. Manpower, Inc., 936 F. Supp. 1494 (E.D. Wis. 1996). Lead counsel for Manpower in this franchise dispute in which dismissal of the bulk of the claims was obtained leading to a settlement.

<u>Pillar Corp. v. Enercon Industries Corp.</u> After nine days of trial, obtained dismissal of antitrust conspiracy and monopolization counterclaims.

1986-1 CCH Trade Cases. ¶67,187 (Cir. Ct. Milwaukee County 1986).

City of Milwaukee v. Universal Mortgage Corp., 692 F. Supp. 992 (E.D. Wis. 1988). Lead counsel for Marshall & Ilsley Corp. and M&I Grootemaat Mortgage Corp. in obtaining dismissal of RICO and Wisconsin Little RICO claims brought by City of Milwaukee against inner

city mortgage lenders arising out of successful criminal prosecutions of brokers involved in schemes to defraud HUD.

Rexnord Inc. v. Islamic Republic of Iran (1983). Obtained \$1.1 million recovery for Rexnord after hearings before Iran-U.S. Claims Tribunal at The Hague (first \$1 million Tribunal award) (Case No. 132).

Rexnord Inc. v. On-Line Software International, Inc. (1985). Obtained favorable settlement for Rexnord after 12 days of hearings and issuance of award in Company's favor by American Arbitration Association arbitral tribunal in this software licensing dispute.

Bostrom Seating Inc. (USA) v. JMH Bostrom Europe Ltd. (United Kingdom). Obtained favorable settlement for client in this international licensing dispute after initial hearings in this ICC arbitration (1987-1989) (6035/BGD).

Chr. Hansen v. CK Witco Corp. n/k/a Crompton Corp. (1999-2000).

Obtained seven figure settlement for U.S. subsidiary of Danish company on eve of hearings in dispute arising out of breaches of representations and warranties in stock purchase agreement as to FDA and environmental compliance. (Amer. Arb. Assn. Case No. 13E1810010600).

Zahn v. International Paper Company, 410 U.S. 925 (1973). Principal responsibility for preparing briefs filed for International Paper in both the Second Circuit and United States Supreme Court in this landmark class action case.

Ziegler Co., Inc. v. Rexnord Inc. Defeated motion for preliminary injunction in dealer termination case and obtained grant of summary judgment, which was affirmed by Court of Appeals. The Wisconsin

Supreme Court reversed [139 Wis. 2d 593 (1987)], but subsequently granted Rexnord's motion for reconsideration and ruled in its favor [147 Wis. 2d 308 (1988)]. Favorable settlement obtained for client in 1992.

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Swan Sales Corp. v. Jos. Schlitz Brewing Co., Obtained summary judgment for Schlitz, which was affirmed by Wisconsin Court of Appeals in this Wisconsin Fair Dealership Law termination case. 126 Wis. 2d 16 (1985).

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<u>Torphy v. Touche Ross & Co.</u> (Cir. Ct. Dane County). Retained by Office of the Commissioner of Insurance of the State of Wisconsin as lead

counsel to prosecute multi-million dollar accounting malpractice claims arising out of 1981 collapse of Wisconsin domiciled insurance company. Substantial seven-figure settlement obtained in 1989 after first week of jury trial projected to last 4 to 6 months.

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Involved in representing bidders and targets in a number of contested takeovers, including Banner Industries' 1987 takeover of our client, Rexnord Inc.; Blue Arrow plc's 1987 takeover of our client, Manpower Inc.; our client, Mark IV Industries' unsuccessful attempt in 1988 to acquire RTE Corporation (RTE Corp. v. Mark IV Indus., Inc., 1987-1988 CCH Fed. Sec. L. Rep. ¶93,789 (E.D. Wis. 1988)); and our client, Hyde Park Partners', unsuccessful attempt in 1989 to acquire Universal Foods Corporation. Amanda Acquisition Corp. v. Universal Foods Corp., 708 F. Supp. 984 (E.D. Wis.), aff'd, 877 F.2d 496 (7th Cir.), cert denied, 493 U.S. 955 (1989).

People v. John Roman (No. 4884169, Sup. Ct. N.Y. County, 1970). Obtained verdict of acquittal for client after 9-week jury trial in bombing conspiracy case involving three alleged Puerto Rican radicals, one of whom was convicted.

PROFESSIONAL ACTIVITIES:

Member of the Bars of the States of California, New York and Wisconsin

Admitted to practice before the United States Supreme Court and State and Federal Courts of California, New York and Wisconsin

Member of The American Law Institute

Member, Advisory Committee on Circuit Rules for the Seventh Circuit Court of Appeals, 2001-present

President, 7th Circuit Bar Association (2002), First Vice President (2001), Second Vice President (2000), General Chair Committee on Rules and Practice (1995-2000)

Contributor to American Bar Association, Mergers and the Private

Antitrust Suit: The Private Enforcement of Section 7 of the Clayton Act
(1977)

Lecturer for Wisconsin Corporate Practice Institute, American Bar Association, State Bar of Wisconsin, Practicing Law Institute and California Continuing Education of the Bar on a variety of legal subjects

Substitute Arbitrator, Iran-U.S. Claims Tribunal (The Hague), 1984-1988

Member, North American Council, London Court of International Arbitration, 1994-present

Member, The Chartered Institute of Arbitrators (London), 1995-present

Member, Swiss Arbitration Association, 1995-present

Regional Panelist, CPR Institute for Dispute Resolution Panel of Distinguished Neutrals, 1993-present and Member of CPR Insurance and Franchise Panels

Panel of Arbitrators of the American Arbitration Association, 1977-present (Commercial and International Panels)

Member, NASD Board of Arbitrators, 1987-present

Panel of Arbitrators of New York Stock Exchange, 1988-present

Chair, Board of Administrative Oversight of the Supreme Court of Wisconsin Lawyer Regulation System, 2000-present

Member, District II (Milwaukee) Committee of the Supreme Court of Wisconsin Board of Attorneys Professional Responsibility, 1985-1992; Chair 1993-1994

Chair, Committee on Resolution of Fee Disputes, State Bar of Wisconsin, 1994-1995

Chair, Fee Arbitration Committee, Milwaukee Bar Association, 2000-present

Director, Milwaukee Bar Foundation, 2001-present

Member, International Association of Insurance Receivers, 1997-present

Director, International Business Transactions Section, State Bar of Wisconsin, 1985-1992

President, Wisconsin Chapter American Society of Corporate Secretaries, 1982-1983; Director 1981-1992

American Bar Association Section of Litigation Committee on Corporate Counsel, 1984-present (Chair Committee on International Litigation, 1990-1994)

State Bar of California Committee on Continuing Legal Education of the Bar, 1977-1979

Los Angeles County Bar Association Ethics Committee, 1976-1979; Federal Courts and Practice Committee, 1976-1979 and Executive Committee Human Rights Section, 1974-1977

Association of the Bar of the City of New York Criminal Courts and Practice Committee, 1973, and Secretary, Committee on State Courts of Superior Jurisdiction, 1970-1973

Criminal Indigent Defense Panels for the U.S. District Court for the Southern District of New York and Second Circuit Court of Appeals, 1970-1973 and U.S. Court of Appeals for the Seventh Circuit, 1990-present

CIVIC ACTIVITIES:

Director, Aurora Health Care Ventures, 1993-present; Chair 1997-1999 and 2001-present

Director, Aurora Health Care Inc., 1988-1993

Advisory Board, Medical College of Wisconsin Cardiovascular Research Center, 1994-present (Chair 1999-2002)

Trustee (1992-present), Chair (2002-present) and Vice Chair (2000-2002) Columbia College of Nursing Board of Trustees

Trustee, Mount Mary College (2002-present)

Director, Visiting Nurse Corp. of Wisconsin, 1980-1991 (Chair 1985-1987)

Director, Visiting Nurse Foundation, 1985-1995 (Chair 1988-1991)

Director, Wisconsin Humane Society, 1980-1990 (President, 1986-1988)

Director, Wisconsin Society to Prevent Blindness, 1981-1991

Representative to Association of Yale Alumni, 1976-1979, 1981-1984, 1990-1993

President, Yale Club of Southern California Inc., 1977-1979

Vice President and Director, Yale Alumni Association of Wisconsin, 1980-1982

Los Angeles Philharmonic Men's Committee 1978-1979

Executive Committee, India Council of the Asia Society (NYC) (1969-1971)

MISCELLANEOUS: Listed in The Best Lawyers in America 2003-2004

Listed in Milwaukee Magazine, "Best Attorneys 1999"

Listed in Who's Who in America (57th ed. 2003)

Listed in Who's Who in American Law (12th ed. 2002-2003)

Listed in Who's Who in the World (20th ed. 2002)

	•	•
REFERENCES:	Robin D. Adelstein, Esq. Vice President and Assistant General Counsel Guinness UDV North America, Inc. 6 Landmark Square Stamford, CT 06901	(203) 359-7153
	Joel Biller Senior Vice President Manpower Inc. 5301 North Ironwood Road Milwaukee, WI 53217	(414) 961-1000
	Robert E. Bouma, Esq. McDermott Will & Emery 227 West Monroe Street Chicago, IL 60606-5096	(312) 984-7718
	Hon. José Cabranes United States Court of Appeals for the Second Circuit 141 Church Street New Haven, CT 06510	(203) 773-2147
	Hon. Ralph Adam Fine Wisconsin Court of Appeals District I 633 West Wisconsin Avenue Milwaukee, WI 53203-1918	(414) 227-4683
	S. L. Holley, Esq. Sullivan & Cromwell 125 Broad Street New York, NY 0004	(212) 558-4000
	S. S. Hudnut, Esq. Senior Vice President, General Counsel and Secretary Illinois Tool Works Inc. 3600 W. Lake Avenue Glenview, WI 60025	(847) 657-4074

(212) 474-1448 R. D. Joffe, Esq. Cravath, Swaine & Moore Worldwide Plaza 825 Eighth Avenue New York, NY 10019 (608) 266-8824 Keith Johnson, Esq. Chief Legal Counsel State of Wisconsin Investment Board P.O. Box 7842 Madison, WI 53707-7842 (011) 358-0394-1470 Folke Lindberg Instrumentarium Corporation Kuortaneenkatu 2 SF 00510 Helsinki · Finland F. C. Nepple, Esq. (608) 266-7726 General Counsel Office of the Commissioner of Insurance of the State of Wisconsin 121 E. Wilson Street Madison, WI 53707 (49 69) 2648-5000 Dr. Arndt Overlack Allen & Overy Taunustor 2 60311 Frankfurt, Germany (414) 259-5701 J. S. Shiely President and CEO Briggs & Stratton Corporation

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P.O. Box 702



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GODFREY & KAHN, S.C. MILWAUKEE APPLETON GREEN BAY WAUKESHA

LAFOLLETTE GODFREY & KAHN MADISON

June 11, 2003

Senator Dale Schultz Room 18 South, State Capitol P.O. Box 7882 Madison, WI 53707-7882

Re:

June 25 Meeting at 11:00 a.m.

Dear Senator Schultz:

I look forward to having an opportunity to meet with you to discuss my appointment to the State of Wisconsin Investment Board. I am honored to be asked to serve in this capacity and hope my background and experience will allow me to provide valuable input to this important Board. In preparation for our meeting, I have enclosed a copy of my Curriculum Vitae. Connie O'Connell from our Madison office will be joining me for our meeting.

I appreciate your taking time out of your busy schedule to meet with Ms. O'Connell and me. Should you have any questions in advance of the June 25 meeting, please feel free to contact me at (414) 287-9540.

Very truly yours,

William H. Levit, Jr.

Ill Lent

WHL:jmh Enclosure MN176299_1.DOC

W. H. LEVIT, JR.

PERSONAL:

Born San Francisco, California

February 8, 1938

Married to Mary Elizabeth Webster Levit

5 adult children

EDUCATION:

Harvard Law School

LL.B - 1967

Editor-in-Chief

Harvard International Law Journal

National Defense and Education Act Fellow

MA - 1962

University of California, Berkeley

International Relations

Ford Foundation Fellow

1960 - 1961

University of Pennsylvania

South Asia Studies

Yale University
Magna Cum Laude

B. A. - 1960 Asian History

Phi Beta Kappa

WORK

EXPERIENCE:

GODFREY & KAHN, S.C.

Jan. 1983 - Present

Milwaukee, Wisconsin

Member Board of Directors,

Senior Litigation Lawyer, Loss Prevention Partner and Chair, International Practice Group

Former Chair Litigation Group

REXNORD INC. (then Fortune 250 Multinational Company)

May 1979-

Milwaukee, Wisconsin

Dec. 1982

Secretary and General Counsel

HUGHES HUBBARD & REED

Nov. 1973-

New York City and Los Angeles

April 1979

Associate & Partner (1975-1979)

in Charge Los Angeles Litigation Department

g. 1967
it. 1973
8-1969
1962-
1964
8

REPRESENTATIVE LITIGATION AND ARBITRATION EXPERIENCE:

Wisconsin Patients Compensation Fund v. Physicians Insurance Company of Wisconsin, Inc. Successfully represented this state agency in trying to verdict the only statutory bad faith and breach of fiduciary duty case it has ever brought against a primary insurer. The judgment (approximately \$1.2 million) was affirmed by the Wisconsin Court of Appeals in 2001 (No. 00-0505).

Wisconsin Patients Compensation Fund v. St. Mary's Hospital of

Milwaukee. Successfully represented excess medical malpractice insurer in recovering \$4.8 million from health care provider who wrongfully represented it had obtained coverage for professional liability claims. 209

Wis. 2d 17, 561 N.W.2d 797 (Ct. App. 1997).

In the Matter of the Liquidation of American Star Insurance Co. Principal counsel to the Wisconsin Commissioner of Insurance in the on-going liquidation of this San Francisco-based, Wisconsin-domiciled insurance company. (Dane County Cir. Ct., Case No. 92 CV 4579).

Aid Association for Lutherans v. Morgan Stanley & Co., Incorporated,

Goldman Sachs & Co. and Merrill Lynch, Pierce Fenner & Smith,

Incorporated. Represented underwriters in this securities case arising out of the failure of the Bank of New England Corporation. Obtained summary

judgment on 1933 Act claims on statute of limitations grounds which led ultimately to favorable settlement (Cir. Ct. Milwaukee County 1991-1993).

Beverly L. Halquist v. Halquist Stone Co., Inc. et al. Court-appointed Independent Panel to act in lieu of disinterested majority of board of closely-held corporation to investigate and recommend disposition of derivative claims. Thereafter successfully mediated the dispute. (Cir. Ct. Waukesha County 1998-2000).

Allis-Chalmers Mfg. Co. v. Gulf & Western Industries, Inc. Involved in successful trial and appeal of short-swing profits securities case in which \$2.5 million was recovered for Allis-Chalmers. 372 F. Supp. 570 (N.D. Ill. 1974), aff'd, 527 F.2d 335 (7th Cir. 1975).

Briggs & Stratton Corp. v. Cross Co. and Cross & Trecker Corp.

Represented Briggs in this multi-million dollar breach of contract action and helped negotiate very favorable settlement (E.D. Wis. 1987-88)

George Fischer Foundry Systems, Inc. v. Adolph H. Hottinger Maschinenbau GmbH, 1994-1 CCH Trade Cases ¶70,566 (E.D. Mich. 1994), aff'd, 55 F.3d 1206 (6th Cir. 1995). Lead counsel for German licensor in this patent licensing antitrust case in which dismissal obtained on basis of the United States Supreme Court's decision in Mitsubishi Motor Corp. v. Soler Chrysler Plymouth, Inc. Successfully represented client in arbitration of antitrust claims before Zürich Chamber of Commerce.

Good Humor Corporation v. Popsicle Japan KK. Lead counsel for Unilever subsidiary (Good Humor) in international trademark licensing dispute. 810 F. Supp. 1001 (E. D. Wis. 1992). Obtained summary judgment dismissing bulk of licensee's claims leading to favorable settlement.

Manpower Inc. v. Manpower Unternehmens-und Personalberatung Ges.m.b.H. (1991-1998). Lead American counsel for Claimant in licensing/franchise dispute with Austrian joint venture partner in arbitration before International Arbitral Centre of the Federal Economic Chamber (Vienna). All three Tribunal awards were in favor of Claimant, including grant of injunctive relief and award of damages of \$1.8 million. (SCH-4311/MAG).

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Inc. Obtained summary judgment dismissing this dealer termination case.

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ARBITRATOR AND MEDIATOR EXPERIENCE:

For more than 25 years have served as sole, chair or panel arbitrator in over 80 commercial, corporate, insurance, reinsurance and securities arbitrations under CPR Institute for Dispute Resolution, American Arbitration Association, New York Stock Exchange, NASD and various international rules. Have mediated several dozen disputes ranging from a multi-hundred million dollar contract case, to a close corporation shareholder dispute, to allocation of D&O insurance proceeds, to a multi-party condemnation case.

Substitute Arbitrator, Iran-U.S. Claims Tribunal (The Hague), 1984-1988

Regional Panelist, CPR Institute for Dispute Resolution Panel of Distinguished Neutrals, 1993-present and Member of CPR Insurance and Franchise Panels

Panel of Arbitrators of the American Arbitration Association, 1977-present (Commercial and International Panels)

Panel of Mediators of the American Arbitration Association, 2001-present Member, NASD Board of Arbitrators, 1987-present Panel of Arbitrators of New York Stock Exchange, 1988-present

Chicago International Dispute Resolution Association Panel of Arbitrators and Mediators, 2003 - present

Reinsurance Association of American Panel of Arbitrators and Mediators, 2003 - present

Chair, Fee Arbitration Committee, Milwaukee Bar Association, 2000-present

Chair, Committee on Resolution of Fee Disputes, State Bar of Wisconsin, 1994-1995

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PROFESSIONAL

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Los Angeles County Bar Association Ethics Committee, 1976-1979; Federal Courts and Practice Committee, 1976-1979 and Executive Committee Human Rights Section, 1974-1977

Association of the Bar of the City of New York Criminal Courts and Practice Committee, 1973, and Secretary, Committee on State Courts of Superior Jurisdiction, 1970-1973

Criminal Indigent Defense Panels for the U.S. District Court for the Southern District of New York and Second Circuit Court of Appeals, 1970-1973 and U.S. Court of Appeals for the Seventh Circuit, 1990-present

CIVIC ACTIVITIES:

Director, Aurora Health Care Ventures, 1993-present; Chair 1997-1999 and 2001-2002

Director, Aurora Health Care Inc., 1988-1993

Advisory Board, Medical College of Wisconsin Cardiovascular Center, 1994-present (Chair 1999-2002)

Trustee (1992-present), Chair (2002-present) and Vice Chair (2000-2002) Columbia College of Nursing Board of Trustees

Trustee, Mount Mary College (2002-present)

Director, Visiting Nurse Corp. of Wisconsin, 1980-1991 (Chair 1985-1987)

Director, Visiting Nurse Foundation, 1985-1995 (Chair 1988-1991)

Director, Wisconsin Humane Society, 1980-1990 (President, 1986-1988)

Director, Wisconsin Society to Prevent Blindness, 1981-1991

Representative to Association of Yale Alumni, 1976-1979, 1981-1984, 1990-1993

President, Yale Club of Southern California Inc., 1977-1979

Vice President and Director, Yale Alumni Association of Wisconsin, 1980-1982

Los Angeles Philharmonic Men's Committee 1978-1979

Executive Committee, India Council of the Asia Society (NYC) (1969-1971)

MISCELLANEOUS:

Listed in The Best Lawyers in America 2003-2004

Listed in Milwaukee Magazine, "Best Attorneys 1999"

Listed in Who's Who in America (58th ed. 2004)

Listed in Who's Who in American Law (13th ed. 2003-2004)

REFERENCES:

Robin D. Adelstein, Esq.

(203) 359-7153

Vice President and Assistant

General Counsel

Guinness UDV North America, Inc.

6 Landmark Square Stamford, CT 06901

Joel Biller

(414) 961-1000

Senior Vice President

Manpower Inc.

5301 North Ironwood Road Milwaukee, WI 53217

Robert E. Bouma, Esq. McDermott Will & Emery 227 West Monroe Street Chicago, IL 60606-5096	(312) 984-7718
Hon. José Cabranes United States Court of Appeals for the Second Circuit 141 Church Street New Haven, CT 06510	(203) 773-2147
Hon. Joel M. Flaum Chief Judge United States Court of Appeals for the Seventh Circuit 219 South Dearborn Street Chicago, IL 60604	(312) 435-5626
S. S. Hudnut, Esq. Senior Vice President, General Counsel and Secretary Illinois Tool Works Inc. 3600 W. Lake Avenue Glenview, IL 60025	(847) 657-4074
Hon. Jack B. Jacobs Vice Chancelllor Court of Chancery of the State of Delaware NCC Courthouse, Suite 11400 500 North King Street Wilmington, DE 19801	(302) 255-0502
R. D. Joffe, Esq. Cravath, Swaine & Moore Worldwide Plaza 825 Eighth Avenue New York, NY 10019	(212) 474-1448
Keith Johnson, Esq. Chief Legal Counsel State of Wisconsin Investment Board P.O. Box 7842 Madison, WI 53707-7842	(608) 266-8824

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Instrumentarium Corporation
Kuortaneenkatu 2
SF 00510 Helsinki
Finland

(011) 358-0394-3470

(608) 266-7726

F. C. Nepple, Esq.
General Counsel
Office of the Commissioner of
Insurance of the State of Wisconsin
125 S. Webster Street
Madison, WI 53702

Dr. Arndt Overlack Allen & Overy Taunustor 2 60311 Frankfurt, Germany (011) 49 69 2648-5000

J. S. Shiely
President and CEO
Briggs & Stratton Corporation
3300 N. 124th Street
P.O. Box 702
Milwaukee, WI 53201

(414) 259-5701

Charles W. Sprague
Executive Vice President, General
Counsel and Secretary
Fiserv Inc.
255 Fiserv Drive
Brookfield, WI 53045

(262) 879-5517

Seemble

W. H. LEVIT, JR.

780 NORTH WATER STREET

MILWAUKEE, WISCONSIN 53202

PHONE: (414) 273-3500 DIRECT: (414) 287-9540 FAX: (414) 273-5198 EMAIL: wlevit@gklaw.com

July 10, 2003

Senator Dale W. Schultz Wisconsin State Senator State Capitol, Room 18 South P.O. Box 7882 Madison, WI 53707-7882

Re.

State of Wisconsin Investment Board

Dear Senator Schultz:

I just wanted to drop you a brief note to let you know that after having seen Senator Brown this morning, I have completed my meetings with all five members of your Committee. I am hopeful that you will be able to schedule my confirmation hearing before the end of August.

With best regards, I am,

Sincerely,

Bill Zenit

prome of

WHL:js mw732667_1.DOC

cc: Patricia Lipton

OBrien, John

From: Sent: OBrien, John

Sent To: Monday, July 14, 2003 5:00 AM 'wlevit@gklaw.com'

To:

Subject:

Confirmation Hearing Information

Dear Mr. Levit,

Thank you for your note to Senator Dale Schultz dated July 10th, 2003.

You will be pleased to know that the Senate Committee on Agriculture, Financial institutions and Insurance has scheduled a hearing on a number of items including your appointment.

The hearing notice follows.

Senate

PUBLIC HEARING

Committee on Agriculture, Financial Institutions and Insurance

The committee will hold a public hearing on the following items at the time specified below:

Tuesday, July 29, 2003 10:00 AM 330 Southwest

Cates, Richard L.

Of Spring Green, as a member of the Board of Agriculture, Trade and Consumer Protection, to serve for the term ending May 1, 2009.

Mayer, Shelly A.

Of Slinger, as a member of the Board of Agriculture, Trade and Consumer Protection, to serve for the term ending May 1, 2009.

Levit, William H.

Of Milwaukee, as a member of the State of Wisconsin Investment Board, to serve for the term ending May 1, 2009.

Sims, Deloris

Of Milwaukee, as a member of the State of Wisconsin Investment Board, to serve for the term ending May 1, 2009.

Senate Bill 185

Relating to: sale of halal food.

By Senator Kanavas; cosponsored by Representatives Townsend, Sherman and Black.

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Senate Bill 191

Relating to: representations made regarding wild rice sold or offered for sale in this state, granting rule-making authority, and providing a penalty.

By Joint Legislative Council.

Senate Bill 202

Relating to: the purchase of health care coverage by individuals who are engaged in the business of farming through the Group Insurance Board, granting rule-making authority, and making an appropriation.

By Senators Leibham, M. Meyer, Decker, Roessler, Wirch, Brown, Breske and Hansen; cosponsored by Representatives Towns, Vruwink, LeMahieu, Ladwig, Pettis, M. Lehman, Suder, Bies, Staskunas, Musser, Hahn, Weber, Kreibich, Berceau, Ainsworth, Ott, J. Wood, Hines, Kestell, Owens, Gunderson, Gronemus, Balow, McCormick, Olsen, Plouff, Freese, Shilling, Hundertmark, Schneider, Van Akkeren, Johnsrud and Petrowski.

Assembly Bill 329

Relating to: the frequency of local lodge meetings.

By Representatives Montgomery, Van Roy, Wieckert, Jensen, Bies, J. Wood, M. Lehman, Weber, Towns, Schooff, Grothman, Ladwig, Cullen, Owens, Hines, McCormick, Plouff, Shilling, Gielow, Stone and Seratti; cosponsored by Senators Schultz, Hansen and Breske.

Executive Session May Be Held On Any Matter Before The Committee

Dale W. Schultz

Senator Dale Schultz, Chair

If you require additional information or need to contact the committee regarding your availability, please contact me directly. Senator Schultz requires that all appointees be present if the committee is to vote on their confirmation.

Thank you.

John O'Brien, Committee Clerk Senate Agriculture, Financial institutions and Insurance. Senator Dale Schultz, Chair. John.OBrien@legis.state.wi.us (800) 978 8008 (Toll Free In State Only) (608) 26 6-0703